

**ADDITION TO THE AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
TUESDAY, JULY 12, 2005
9:00 A.M.**

AND

**SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION
COUNCIL/STAFF QUESTION AND ANSWER SESSION
10TH FLOOR, CONFERENCE ROOM
MONDAY, JULY 11, 2005
4:00 P.M.**

The following is added to the City Council Agenda of Tuesday, July 12, 2005 at 9:00 a.m.:

CONSENT AGENDA

1. **WHEREAS**, in accordance with contract provision 6.9.2, the City may terminate the contract in question at will and without cause by giving seven (7) days written notice to the Contractor, with no liability incurred for said termination of work,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

1. The City Manager or her designee is authorized to notify Dan Williams Company that the City is terminating the remaining work under Bid No. 2005-071, awarded to Dan Williams Company for the construction of a project known as EPIA Pavement Rehabilitation Project. Termination of the contract shall be pursuant to the City's right to terminate the work at will and without cause as enumerated in 6.9.2 of the contract documents. Contractor shall complete the work under the current phase of construction (Phase IV of the original scope of work), whereupon termination of the contract shall become immediately effective. Should Phase IV construction be completed before July 19, 2005, Contractor shall not commence work on any additional phases of construction.

2. The City Manager or her designee is authorized to execute any appropriate documents in fulfillment of this contract termination.

3. The Contractor shall be provided with a copy of this resolution, which shall serve as written notice of the City's intent to terminate Bid No. 2005-071. [Purchasing Department, Byron Johnson, (915) 541-4308]

2. The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting. Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE FOLLOWING: <http://www.elpasotexas.gov>

Richarda Duffy Momsen, City Clerk